

# **Exhibit AJ**

1 CAUSE NO. 2017-86022-ASB  
2 BEFORE THE ASBESTOS MDL PRE-TRIAL JUDGE  
3 CRISTINA LOPEZ and § IN THE DISTRICT COURT  
CARLOS LOPEZ §  
4 § 11th JUDICIAL DISTRICT  
§  
5 §  
VS. §  
6 §  
7 BRENNTAG NORTH § HARRIS COUNTY, TEXAS  
AMERICA, INC, ET AL. §  
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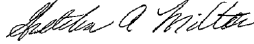
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9 Transferred from:  
CAUSE NO. 17-12-14-67-ZCV

10 CRISTINA LOPEZ and § IN THE DISTRICT COURT  
11 CARLOS LOPEZ §  
§ 365th JUDICIAL DISTRICT  
12 §  
§  
13 VS. §  
§  
14 BRENNTAG NORTH § ZAVALA COUNTY, TEXAS  
AMERICA, INC, ET AL. §  
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17 DEPOSITION OF  
STEPHEN PATRICK COMPTON, Ph.D.  
18 Volume 1 of 2  
May 7, 2020  
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21 ORAL DEPOSITION OF STEPHEN PATRICK COMPTON, Ph.D.,  
22 produced as a witness at the instance of Defendants  
23 and duly sworn, was taken in the above-styled and  
24 numbered cause on May 7, 2020, from 10:07 a.m. to  
25 1:50 p.m., before GRETCHEN A. MILTON, CSR, in and

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| <p style="text-align: right;">Page 106</p> <p>1 information about.</p> <p>2 Q. But this document says that these</p> <p>3 recommendations do not represent proposed</p> <p>4 changes to any regulations of the U.S.</p> <p>5 government. So, at least on the face of</p> <p>6 this document, these are not proposed</p> <p>7 regulatory changes; right?</p> <p>8 MS. KAGAN: Objection, form.</p> <p>9 A. What it's saying is that these</p> <p>10 aren't any final opinions that are being</p> <p>11 proposed as changes. But the intent of</p> <p>12 the document is to investigate changes to</p> <p>13 regulations. Absolutely.</p> <p>14 Q. All right. So, we're towards the</p> <p>15 end of what I was planning to do. The</p> <p>16 next two things I'm going to do is I'm</p> <p>17 just going to show you a couple of</p> <p>18 transcripts where you've testified before,</p> <p>19 and just ask a few follow-up questions</p> <p>20 about those. And I only have a few of</p> <p>21 these, and then we should be about ready</p> <p>22 to wrap up.</p> <p>23 So, the first one, can you</p> <p>24 look at, can you open up at what I have</p> <p>25 labeled as FF, which is your Zimmerman</p> | <p style="text-align: right;">Page 108</p> <p>1 chrysotile.</p> <p>2 And the beginning of your answer</p> <p>3 says: "Without looking at the sample</p> <p>4 myself, I can't independently verify the</p> <p>5 results, if that's what you're asking."</p> <p>6 And I wanted to ask you: Why did</p> <p>7 do you need to look at the sample yourself</p> <p>8 to independently verify the results?</p> <p>9 A. In analyzing a sample, the PLM</p> <p>10 analyst needs to investigate a number of</p> <p>11 different criteria for any given set of</p> <p>12 particles that they're looking at. Those</p> <p>13 criteria, those parameters, aren't</p> <p>14 something that can always be represented</p> <p>15 by a single photograph. So, you either</p> <p>16 have to rely on the fact that the work is</p> <p>17 being completed by an accredited</p> <p>18 laboratory, by someone who has been</p> <p>19 trained and understands the methodology</p> <p>20 and the principles behind how that</p> <p>21 analysis is performed, or you would need</p> <p>22 to analyze it yourself.</p> <p>23 Q. And what are the criteria that</p> <p>24 you would need to see through the</p> <p>25 microscope, as opposed to what's reported</p> |
| <p style="text-align: right;">Page 107</p> <p>1 deposition from February 28, 2020. And</p> <p>2 please let me know when you have that.</p> <p>3 MR. BUSH: And I will identify</p> <p>4 this as Exhibit 15.</p> <p>5 (The copy of the deposition</p> <p>6 transcript of Stephen Compton, Ph.D.,</p> <p>7 In the Matter of Linda Zimmerman vs.</p> <p>8 Autozone Inc., et al., dated February</p> <p>9 28, 2020, was hereby marked as Compton</p> <p>10 Exhibit 15 for identification, as of</p> <p>11 this date.)</p> <p>12 A. Okay. I'm with you.</p> <p>13 Q. All right. Can you turn to</p> <p>14 page 22, please.</p> <p>15 MS. KAGAN: Do you mean the</p> <p>16 small, actual testimony, page 22?</p> <p>17 MR. BUSH: Yes. Sorry. I meant</p> <p>18 to say small page 22 of the actual</p> <p>19 transcript. It's page 8 of the PDF.</p> <p>20 Q. All right. And I don't really</p> <p>21 want to read the whole thing because we</p> <p>22 can all see it. But starting at line 6,</p> <p>23 you were asked about reviewing PLM images</p> <p>24 from an MAS report, and whether you agreed</p> <p>25 that, with Dr. Longo's finding, is</p>   | <p style="text-align: right;">Page 109</p> <p>1 in the images, and the count sheets, and</p> <p>2 the other backup data?</p> <p>3 A. Generally, these are the, the</p> <p>4 parameters that are described in asbestos</p> <p>5 testing methods using PLM. Things like</p> <p>6 dispersion staining colors, signs of</p> <p>7 elongation. Indices of refraction.</p> <p>8 Observing the Becke lines. That's</p> <p>9 B-E-C-K-E. The things that you would need</p> <p>10 to look through the microscope and</p> <p>11 actually interact with a particle, not</p> <p>12 something you can necessarily see via a</p> <p>13 single static image.</p> <p>14 Q. And do you think that the same</p> <p>15 holds true for a TEM analysis?</p> <p>16 A. Not necessarily. With a TEM</p> <p>17 analysis, you can take snapshots of</p> <p>18 certain criteria, because there are</p> <p>19 essentially three criteria that you</p> <p>20 utilize when you do TEM.</p> <p>21 There is morphology, the size and</p> <p>22 shape of a given particle, which can be</p> <p>23 captured through an image of the particle.</p> <p>24 Although there are some situations where</p> <p>25 the contrast of an image may not as good</p>                    |

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| <p style="text-align: right;">Page 142</p> <p>1 Lopez, Cristina Et Al v. Brenntag North America Inc Et Al</p> <p>2 Patrick Stephen Compton , Phd Job No. 4091535</p> <p>3 E R R A T A S H E E T</p> <p>4 PAGE____ LINE____ CHANGE_____</p> <p>5 _____</p> <p>6 REASON_____</p> <p>7 PAGE____ LINE____ CHANGE_____</p> <p>8 _____</p> <p>9 REASON_____</p> <p>10 PAGE____ LINE____ CHANGE_____</p> <p>11 _____</p> <p>12 REASON_____</p> <p>13 PAGE____ LINE____ CHANGE_____</p> <p>14 _____</p> <p>15 REASON_____</p> <p>16 PAGE____ LINE____ CHANGE_____</p> <p>17 _____</p> <p>18 REASON_____</p> <p>19 PAGE____ LINE____ CHANGE_____</p> <p>20 _____</p> <p>21 REASON_____</p> <p>22 _____</p> <p>23 _____</p> <p>24 Patrick Stephen Compton , Phd                      Date</p> <p>25</p>   | <p style="text-align: right;">Page 144</p> <p>1 I, GRETCHEN A. MILTON, a Notary Public for and</p> <p>2 within the State of New York, do hereby certify:</p> <p>3 That the witness whose testimony as herein set</p> <p>4 forth, was duly sworn by me; and that the within</p> <p>5 transcript is a true record of the testimony given by</p> <p>6 said witness.</p> <p>7 I further certify that I am not related to any of</p> <p>8 the parties to this action by blood or marriage, and</p> <p>9 that I am in no way interested in the outcome of this</p> <p>10 matter.</p> <p>11 IN WITNESS WHEREOF, I have hereunto set my hand</p> <p>12 this 13th day of May, 2020.</p> <p>13</p> <p>14</p> <p style="text-align: center;"> <br/> GRETCHEN A. MILTON </p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>   |
| <p style="text-align: right;">Page 143</p> <p>1 Lopez, Cristina Et Al v. Brenntag North America Inc Et Al</p> <p>2 Patrick Stephen Compton , Phd 4091535</p> <p>3 ACKNOWLEDGEMENT OF DEPONENT</p> <p>4 I, Patrick Stephen Compton , Phd, do hereby declare that I</p> <p>5 have read the foregoing transcript, I have made any</p> <p>6 corrections, additions, or changes I deemed necessary as</p> <p>7 noted above to be appended hereto, and that the same is</p> <p>8 a true, correct and complete transcript of the testimony</p> <p>9 given by me.</p> <p>10</p> <p>11 _____</p> <p>12 Patrick Stephen Compton , Phd                      Date</p> <p>13 *If notary is required</p> <p>14 SUBSCRIBED AND SWORN TO BEFORE ME THIS</p> <p>15 _____ DAY OF _____, 20____.</p> <p>16</p> <p>17</p> <p>18 _____</p> <p>19 NOTARY PUBLIC</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> | <p style="text-align: right;">Page 145</p> <p>1 lkagan@sgplaw.com</p> <p>2 May 13, 2020</p> <p>3 RE: Lopez, Cristina Et Al v. Brenntag North America Inc Et Al</p> <p>4 DEPOSITION OF: Patrick Stephen Compton, Ph.d. - 4091535</p> <p>5 The above-referenced witness transcript is</p> <p>6 available for read and sign.</p> <p>7 Within the applicable timeframe, the witness</p> <p>8 should read the testimony to verify its accuracy. If</p> <p>9 there are any changes, the witness should note those</p> <p>10 on the attached Errata Sheet.</p> <p>11 The witness should sign and notarize the</p> <p>12 attached Errata pages and return to Veritext at</p> <p>13 errata-tx@veritext.com.</p> <p>14 According to applicable rules or agreements, if</p> <p>15 the witness fails to do so within the time allotted,</p> <p>16 a certified copy of the transcript may be used as if</p> <p>17 signed.</p> <p>18 Yours,</p> <p>19 Veritext Legal Solutions</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> |